



Environment
Ontario

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Minister

REGIONAL PUBLIC CONSULTATION - SUMMARY AND ANALYSIS

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INTRODUCTION

From June 13 to July 26, 1988, members of the Environmental Assessment Program Improvement Project (EAPIP) conducted a series of open houses and discussion sessions in 11 regional centres throughout the province. This report will serve as a brief summation of the project's initial round of consultation.

OVERVIEW

The first round of public consultation proved to be a successful and worthwhile venture. The comments and concerns voiced by the public verified the need for a review of the Environmental Assessment Program.

First and foremost, members of the public were in agreement with the topic areas and issues related to the EA program that are to be examined during the course of the review. While the topics raised by the public were consistent with those previously identified by the project team, some additional insights were brought to light.

Secondly, throughout Ontario there are a number of individuals representing various interests and from different backgrounds who have agreed to work with the project coordinators on particular topics in which they have an interest or expertise.

By conducting public meetings at this time in the project, the public was provided with an opportunity to take an active role and have their say.

Another objective of EAPIP's consultation program was to educate the public on the project and on the EA Program. It is apparent from the comments the project team received, some members of the public do not have an

understanding of environmental assessment. Consequently, the project team was able to take an important step in promoting a greater public understanding of environmental assessment.

The turn out at each meeting was in keeping with the anticipated numbers given the general interest level, nature of the subject matter and time of year. The meetings attracted a diverse cross-section of groups and individuals providing a balanced opinion on environmental assessment. Those in attendance expressed a wide range of views and opinions. The project team gained a valuable insight into the public's perceptions of environmental assessment and the EA program.

Media coverage varied from city to city. The meetings generally received more media attention in the smaller centres. Notwithstanding, the coverage received helped promote the project and contributed to the ongoing education of the media and public in matters relating to EA.

Another component of the project's consultation program has been the formation of an advisory group. The group was established to provide EAPIP on-going assistance in examining issues, options and recommendations relating to the project's course of study. Representatives from 18 diverse organizations and associations will offer EAPIP their collective insight and experience in matters relating to environmental assessment.

The basic work plan of the project following the initial round of public consultation and confirmation of the topic areas is to research current practices with the existing EA process and the EA Act, consider alternative models and

prepare options for improvements based on the existing and alternative models. Throughout this period, the project team will be conducting technical discussions with groups and individuals on the various topics under examination.

Any one with an interest in a particular topic who would like to participate in these small-group discussions should contact the project team.

The Phase 1 paper is expected to be released in January, 1989, with a three month public comment period to follow. A second round of public consultation will occur in early 1989.

<u>DATE</u>	<u>LOCATION</u>	<u>ATTENDANCE</u>	<u>MEDIA PRESENT</u>	<u>SAMPLING OF ORGANIZATIONS REPRESENTED</u>
June 13/88	Chatham	18	CKCO - TV CFCO - Radio Chatham Daily News	Esso, City of Windsor, Ministry of Natural Resources (MNR), Essex Region Conservation Authority, Toogham & Case Associates Inc., University of Western Ontario
June 14/88	Kitchener/ Waterloo	42		Trent University, University of Waterloo, M.M. Dillon Ltd., City of Kitchener, Ecoplans Ltd., Environmental Assessment Advisory Committee (EAAC), Gore & Storrie,
June 15/88	Belleville	22	Belleville Intelligencer Trentonian	Quinte Environmental Resources Ass'n, Ontario Federation of Anglers and Hunters, Tricil Ltd., Moir River Conservation Authority
June 16/88	Ottawa	29	CBC Radio	Kostuch Engineering Ltd., City of Ottawa, Regional Municipality of Ottawa-Carleton, Marbeck Resource Consultants, Carleton University, MOE, Southeast Region
June 20/88	Sudbury	18	CHNO/CJMX/ CFBR - Radio	MNR, City of Sudbury, Regional Municipality of Sudbury, E.B. Eddy Ltd., Laurentian University, Ministry of the Environment (MOE) Northeast Region, Sault College, MNR, Friends of the Magpie, City of Sault Ste. Marie
June 21/88	Sault Ste. Marie	17	Sault Star	

<u>DATE</u>	<u>LOCATION</u>	<u>ATTENDANCE</u>	<u>MEDIA PRESENT</u>	<u>SAMPLING OF AUDIENCE REPRESENTATION</u>
June 23/88	Thunder Bay	18	CBC Radio CKPR Radio	Ministry of Transportation, Ministry of Tourism and Recreation, Environment North, Lakehead Region Conservation Authority, Boise-Cascade Canada Ltd., Abitibi-Price, MOE, Northwest Region
June 27/88	Toronto	76	City T.V.	Atomic Energy Canada Ltd., Ontario Hydro, Laidlaw Waste Systems Ltd., TransCanada Pipelines, Ontario Association of Landscape Architects (OALA), Ministry of Municipal Affairs, Tricil Ltd., Ontario Forestry Association, T.T.C., TFN, Ontario Waste Management Association, MOE, Central Region
June 28/88	Orillia	16	Orillia Packet and Times	Forests for Tomorrow, Orillia Naturalists Club, Tiny Township, County of Victoria, North Simcoe Waste Management Association, MOE, Central Region
July 19/88	London	20	CIQM/CKSL	University of Western Ontario, Macilroy Field Naturalists
July 26/88	St.Catharines	17	CHOW Radio	Brock University, Regional Municipality of Niagara, Provincial Council of Women of Ontario

SUMMARY OF ISSUES AND COMMENTS PRESENTED TO EAPIP

The following is a list of topics and issues that arose during the public discussion sessions:

I. CONCEPT AND PRACTICE OF ENVIRONMENTAL ASSESSMENT

- ° The relationship of the EA Act with other Acts and the use of EA.
- ° Environmental Assessment as a planning tool and encouragement for sustainable development
- ° The extent, type and timing of public consultation, with a particular focus on the relationship between affected publics and the broader, provincial interests.
- ° Informing the public on the purposes and processes of environmental assessment and opportunities for the public to participate in the process.
- ° Scoping - the inability of the EA process during all phases (i.e., initial planning, project assessment, documentation and hearings) to adequately focus attention on the relevant and significant issues and concerns as well as the subsequent uncertainty and adverse effects in terms of resources and timeliness.

The scope of the EA Act including definitions (i.e., "environment") and requirements of alternatives (i.e., Section 5(3) of the EA Act).

- ° The use of mediation and arbitration practices in issue resolution.
- ° The use of experts in both preparation of an EA and verification of a proponent's decision.

II. ENVIRONMENTAL ASSESSMENT REVIEW AND APPROVALS PROCESS

- ° "Advanced" approvals should be considered; environmental assessment should concentrate on overall planning, purpose, effect, mitigation, conditions of approval and thus following approval allow proponents to proceed with an undertaking within a prescribed time framework.
- ° Review and approvals need more predicability including specific time durations.
- ° A "single window" approvals process would be preferred for projects requiring approvals under more than one jurisdiction (both provincial and federal).
- ° Recognition that activities with no environmental impacts should not be considered as proceeding with the undertaking (i.e., proponent "at risk").

III. APPLICATION

- ° Application of the EA Act to specific undertakings based on the environmental effects rather than who the proponent is.

- ° A better understanding of the use and application of designations, exemptions, Class EA's, screening, bump-ups, time frames and public notification.
- ° The application of the EA Act to policies, programs and other activities.
- ° Application to the private sector.

IV. ADMINISTRATION

- ° Process and consistent application for compliance and effects, monitoring, enforcement of conditions of approval and auditing results of previous EA's.
- ° EA Branch resources to administer the EA Act, provide guidance, coordinate the review and deal with major and sensitive issues.
- ° Ministry of the Environment's role in the EA process and position on key decisions during an assessment (possible need for an "independent" review agency).
- ° Environmental Assessment Advisory Committee (EAAC); process, role (recommendation/decision-making) and expertise.
- ° Environmental Assessment Board (EAB); role and expertise, the participation of the general public in a quasi-judicial hearing process, appeals of decisions and Cabinet review and policy directives through conditions of approval.

- ° Criteria for Ministry decisions associated with designations and exemptions or reference matters to the government review agencies, the EAB or EAAC (considering authority to define terms of reference).
- ° Roles of provincial ministries, agencies and proponents in the review of drafts and final EA's.
- ° Contents and technical nature of the EA (and other support documentation) and the EA Review.

It should be noted that the topic of public participation which is an important component of a number of other topics was a matter raised for discussion throughout the course of the meetings.